

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Collarity, Inc.,)
Plaintiff,)
v.) Civil Action No.: _____
Google Inc.,)
Defendant.)

)

COMPLAINT

Plaintiff Collarity, Inc. (“Collarity”) alleges as follows:

THE PARTIES

1. Plaintiff Collarity is a Delaware corporation with its principal place of business at 1000 Elwell Court #101, Palo Alto, CA 94303.

2. On information and belief, Defendant Google Inc. (“Google”) is a Delaware Corporation with its principal place of business at 1600 Amphitheatre Parkway, Mountain View, CA 94043. Defendant Google’s registered agent for service of process in the State of Delaware is The Corporation Trust Company at Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

NATURE OF THE ACTION

3. This is an action against Defendant Google for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §§ 100, et seq.

JURISDICTION AND VENUE

4. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendant Google because Google is a Delaware Corporation.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b), 1391(c) and/or 1400(b).

BACKGROUND

7. On July 13, 2010, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 7,756,855 (“the ‘855 patent”), entitled “SEARCH PHRASE REFINEMENT BY SEARCH TERM REPLACEMENT.” A true and correct copy of the ‘855 patent is attached as Exhibit A to this Complaint.

8. Plaintiff Collarity is the owner by assignment of all rights, title and interest in and to the ‘855 patent.

COUNT I
(Infringement of U.S. Patent No. 7,756,855 by Defendant Google)

9. The allegations of paragraphs 1-8 are incorporated as though fully set forth herein.

10. Defendant Google has been and continues to be, literally or equivalently infringing the ‘855 patent by making, using, selling, offering to sell, licensing and/or supporting systems, websites, products and/or services covered by one or more claims of the ‘855 patent. This infringement occurs either directly, contributorily, by inducement or otherwise.

11. Defendant Google’s acts of infringement have injured and damaged, and continue to injure and damage Plaintiff Collarity.

12. Defendant Google's acts of infringement have caused irreparable injury to Plaintiff Collarity and will continue to cause irreparable injury until Defendant Google is enjoined from further infringement.

JURY TRIAL

Plaintiff Collarity requests a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Collarity prays for judgment as follows:

- a. That Defendant Google has infringed and is infringing the '855 patent;
- b. That Defendant Google and all its subsidiaries, parents, divisions, officers, agents, servants, employees, successors and assigns, and all those acting on behalf of or in active concert or participation with any of them, be preliminarily and permanently enjoined from infringing, contributorily infringing and/or inducing others to infringe the '855 patent;
- c. That Plaintiff Collarity be awarded judgment against Defendant Google for damages, together with interest and costs; and
- d. That Plaintiff Collarity be awarded other and further relief as this Court may deem just and proper under the circumstances.

Dated: November 7, 2011

/s/ Richard K. Herrmann

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